

REMARKS**Rejection under 35 U.S.C. § 101**

Claims 1, 5-10, and 12-25 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Specifically, the Examiner states that the claimed subject matter “raises a question as to whether the claimed method is directed merely to an abstract idea that is not tied to a technological art, environment, or machine which would result in a practical application producing a concrete, useful, and tangible result.” *Id.*

Applicant believes that the Examiner has followed the reasoning recited in *In re Warmerdam*, 31 USPQ2d 1754 (Fed. Cir. 1994). In *Warmerdam*, the invention was related to a “bubble hierarchy” data structure and algorithm for use in controlling robotic machines. Some of the claims in *Warmerdam* were directed to a portion of the algorithm and did not recite any physical structure. Other claims were directed to a data structure for storing bubble hierarchy data without any physical structure. A third set of claims was directed to a “machine having memory which contains data representing a bubble hierarchy.” *Id.* at 1757. The first two sets of claims were held to be directed to non-statutory subject matter, because those claims described “the manipulation of abstract ideas.” *Id.* at 1759. However, the “machine” claim was found to be “clearly patentable subject matter.” *Id.*

Without conceding that the original claims did not produce “a concrete, useful, and tangible result,” Applicant has amended the claims 1 and 5-9 to clarify that these claims are directed to a “computer system” that comprises multiple software interfaces for performing the recited operations. Following the holdings in *Warmerdam*, claims 1 and 5-9 are clearly directed to statutory subject matter under 35 U.S.C. § 101. Likewise, Applicant has amended claims 21-25 to recite a “computer system” comprising a database and one or several software interfaces. Claims 21-25 are also directed to statutory subject matter.

Applicant has amended the method claims of claims 10 and 12-17 to clarify that the limitations of the methods are performed by various software interfaces of a computer system. Accordingly, claims 10 and 12-17 are directed to statutory subject matter.

Applicant has replaced the computer readable medium claims 18-20 with new claims 26-28. New claims 26-28 are supported by the specification and no new matter has been entered. The new claims recite executable instructions for a computer system. The claims further recite code for various software interfaces. Accordingly, claims 26-28 are directed to statutory subject matter.

Conclusion

In view of the above, Applicant believes the pending application is in condition for allowance. Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 10003656-1 from which the undersigned is authorized to draw.

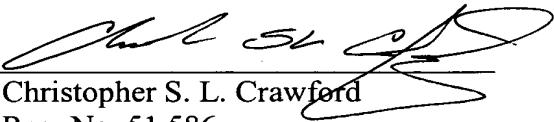
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Date of Deposit: March 29, 2005

Typed Name: Gail L. Miller

Signature: Gail L. Miller

Respectfully submitted,

By: 
Christopher S. L. Crawford
Reg. No. 51,586
Date: March 29, 2005
Telephone No. (214) 855-8378